

BARRY J. PORTMAN  
Federal Public Defender  
NICHOLAS P. HUMY  
Assistant Federal Public Defender  
160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
Telephone: (408) 291-7753

\*E-FILED - 4/20/09\*

Counsel for Defendant ORDAZ-CABRERA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-00258-RMW
	)	
Plaintiff,	)	<b>STIPULATION TO CONTINUE</b>
v.	)	<b>HEARING; [] ORDER</b>
	)	
JOSE IGNACIO ORDAZ-CABRERA,	)	
	)	
Defendant.	)	
_____	)	

Defendant, Jose Ignacio Ordaz-Cabrera by and through his attorney Nicholas P. Humy, and the United States, by and through Assistant United States Attorney Chad Mandell, hereby stipulate and agree to request that the Court continue the status conference currently set for Monday, April 20, 2009, in the above captioned matter to Monday, April 27, 2009, at 9:00 a.m. The continuance is necessary due to the unavailability of counsel for Mr. Ordaz-Cabrera.

The parties further agree and stipulate that time should be excluded from and including April 20, 2009 through and including April 27, 2009, for continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly, the United States and

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STIPULATION TO CONTINUE HEARING;  
[] ORDER  
CR 09-00258-RMW

1 the defendant agree that granting the requested exclusion of time will serve the interest of justice  
2 and outweigh the interest of the public and defendant in a speedy trial.

3  
4 Dated: 4/17/09

\_\_\_\_\_/s/\_\_\_\_\_  
NICHOLAS P. HUMY  
Assistant Federal Public Defender

5  
6 Dated: 4/17/09

\_\_\_\_\_/s/\_\_\_\_\_  
CHAD MANDELL  
Assistant United States Attorney

7  
8  
9  
10 **ORDER**

11 The parties have requested a continuance of the status conference set for Monday, April  
12 20, 2009, due to the unavailability of defense counsel.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
14 presently set for, Monday, April 20, 2009, be continued to Monday, April 27, 2009 at 9:00 a.m.

15 IT IS FURTHER ORDERED, that the time between, April 20, 2009 through  
16 April 27, 2009, shall be excluded for continuity of defense counsel, pursuant to Speedy Trial  
17 Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv).

18 IT IS SO ORDERED.

19  
20 Dated: 4/20/09

  
\_\_\_\_\_  
RONALD M. WHYTE  
United States District Judge